

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22-20540-CR-CMA

UNITED STATES OF AMERICA

v.

DELVIS LARA FUENTES,
~~YOSLANY LEYVA DEL SOL, and~~
~~LEDBER MACHIN ANDINO,~~

Defendants.

FACTUAL PROFFER

The United States of America and Delvis Lara Fuentes (the "Defendant") agree that, were this case to proceed to trial, the United States would prove beyond a reasonable doubt the following facts, among others, which occurred, in the Southern District of Florida:

On or about October 11, 2022, the Defendant and co-defendant Del Sol left Miami traveling to Iowa, South Dakota, and Minnesota, each driving a semi-tractor with no trailer. Co-defendant Andino was driving with a trailer attached. The semi-tractors driven by the Defendant and co-defendants included the following: a 2012 silver Peterbilt 389, Florida JD22HD; a 2009 red/brown Kenworth T660, Florida JD21HD; and a white semi-tractor 2007 Peterbilt, Florida JB20HD. Through GPS tracking and cell cite data, law enforcement monitored the Defendant's and the co-defendants' travel. Additionally, surveillance video from multiple truck stops captured the Defendant and co-defendants traveling together from October 13, 2022, up until their arrests on October 20, 2022.

On October 14, 2022, a trailer containing approximately 19 pallets of ham was stolen from Victim 1 in Sioux Falls, South Dakota. The cargo was valued at approximately \$40,000. Through

GPS and cell data analysis, law enforcement placed the Defendant, as well as the two co-defendants, at the location of the theft in South Dakota. On October 15, 2022, the empty stolen trailer was located and recovered at 5050 Foundation Court, Sioux Falls, South Dakota. Cell phone data showed that the Defendant and two co-defendants were present at the location where the stolen trailer was recovered.

The next day, on October 16, 2022, two stolen trailers and two stolen semi-tractors were recovered at a ShopKo parking lot in Worthington, Minnesota. The trailers belonged to Victim 2 and had contained approximately \$166,956.24 in pork product. But when law enforcement located the trailers, they were empty. The trucks were stolen from a veterinary clinic in Pipestone, Minnesota. The tracking device on the trailers installed by Victim 2 revealed that they were taken from Victim 2 on October 15 and moved to the ShopKo parking lot. GPS and cell data placed the Defendant and co-defendants in the area of the theft of the trailers and then at the ShopKo where the empty trailers were recovered.

On October 20, 2022, law enforcement stopped the Defendant and co-defendants as they were driving into Miami-Dade County. The Defendant and co-defendants were stopped separately, each driving their semi-truck with a trailer attached. The Defendant and co-defendants each consented to a search of their cargo. Law enforcement discovered that the trailers contained the same pork product stolen from Victim 1 and Victim 2. The Defendant and co-defendants provided law enforcement with fraudulent bills of lading for their loads, which did not accurately document the load in their possession. Moreover, the bills of lading did not match the authentic bill of lading provided to law enforcement by Victim 1 and Victim 2.

Finally, a search of the Defendant's and codefendants' phones revealed photographs of meat that had been reported stolen, as well as multiple text communications discussing the sale of

this stolen meat product. In at least one conversation the Defendant and co-defendant exchange an image showing the pork stolen from Victim 1. The loss to both Victim 1 and Victim 2 totaled \$206,956.44.

The parties agree that these facts, which do not include all facts known to the government and the Defendant, are sufficient to prove that the Defendant transported stolen goods, in violation of Title 18, United States Code, Section 2314.

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

Date: 5/15/23 By: 
MARIA L. CATALA
ASSISTANT UNITED STATES ATTORNEY

Date: 05-09-2023 By: 
BRUCE H. LEHR
ATTORNEY FOR DEFENDANT

Date: 05-09-2023 By: 
DELVIS LARA FUENTES
DEFENDANT